

# *The Reading Abbey formulary (Berkshire Record Office, D/EZ 176/1)*

Article

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# The Reading Abbey Formulary (Berkshire Record Office, D/EZ 176/1)

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In 2013 the Berkshire Record Office took possession of a small, neat parchment volume, bound in eighteenth-century vellum, which has become known as the Reading Abbey Formulary. It constitutes one of the most important acquisitions made by the Record Office for many years, and I shall say more later about how it came about. Although one cannot be absolutely certain that it is from Reading Abbey—it does not, for example, bear the usual Reading Abbey *ex libris* inscription: ‘*Hic est liber Sancte Marie de Rading. Quem qui celaverit vel fraudem de eo fecerit anathema sit*’, or any other medieval mark of provenance<sup>1</sup> - a close analysis of the contents shows beyond all doubt that it was compiled either in and for the abbey or, at least, for a lawyer or senior scribe working there. As such, it was one of the small handful of Reading Abbey manuscript volumes still in private hands before it was purchased by the Record Office. It is also the only major Reading Abbey manuscript ever acquired by the Record Office, and it is therefore fitting and gratifying that after nearly five centuries since the abbey’s dissolution it has returned to the town where it was created.

A number of medieval English formularies survive from monasteries, cathedrals and other corporate bodies. They form a very varied group, both in structure and in content, and were certainly not compiled in accordance with a standard plan. As far as I know, all are unique with no duplicate copies.<sup>2</sup> The Reading example is a most interesting and valuable addition to their number. It dates from the middle years of the fourteenth century, say, around 1350.

In basic terms a formulary is a compendium of written formulae or ‘forms’. It is a guide or handbook, primarily for letter-writers and legal document-writers, on how to compose the many different kinds of letters and documents required for a whole range of different purposes—

from charters and title deeds, at one end, to legal procedural documents, at the other—informing writers on what formulae to use depending on the context, in particular, the precise and correct form of words for a given transaction or action, what points to include, and so on. This was extremely important in legal documents intended to be produced in court, whether ecclesiastical or secular, because by the end of the twelfth century at the latest use of the wrong formula might result in the invalidation of a legal action, or at least its delay.

The Reading Formulary, running to over 100 folios, or 200 pages, measuring approximately 5 x 8 inches (14 x 20 mm), is a very full example, covering a huge range of categories of business.<sup>3</sup> Virtually all the folios are fully occupied by text, written in a single hand of the mid-fourteenth century, almost entirely in Latin, with a very few examples in medieval French (the latter most interestingly, for example, in John Balliol's rendering of homage to Edward I for the kingdom of Scotland in 1292 and his renunciation of homage in 1296).<sup>4</sup> The Formulary is in no sense a display manuscript. It has the appearance of a practical, business-like handbook, but on the other hand there is no sign of heavy wear and tear, such as rubbed or stained folios, suggesting that it was not in constant use by scribes in a scriptorium but was perhaps a comprehensive work of reference. It is devoid of illumination or ornament, save only for the slightly enlarged coloured initials at the beginning of each entry. Its structure is, as far as I know, unique, for, beyond being a guide, it is also a fairly comprehensive compilation, organized in part as a series of treatises (*tractatus*) with headings; for example, *Incipit tractatus de cartis* (here begins the treatise on charters); *Incipit tractatus de iure patronatus* (here begins the treatise on the right of patronage), with frequent discussion of the law on particular points.<sup>5</sup> The emphasis is primarily on legal and administrative aspects, whether secular or ecclesiastical; there is, for example, a long discussion of many aspects of ecclesiastical patronage.<sup>6</sup> The book is provided at the beginning with an extremely useful table of contents comprising 8 folios (16 pages), written in the same hand as that of the main text, enabling rapid access to the relevant section needed by the reader.<sup>7</sup>

The various parts of the text have numerous illustrative examples of the correct or preferred documentary formulae. Some of these examples are evidently invented, but in many other cases (possibly the majority) they appear to be based on genuine original documents, but

with most of the details of personal names and place-names omitted and replaced by initials; these initials are often genuine (in the sense that they are the initials of the persons and places involved in the exemplars), and one can in a significant number of cases reconstruct these names. The resort simply to initials is not, however, universal in this manuscript, for a further number of examples give names in full and are either the complete texts of the original documents or can, with slight emendation, be recognized as such. Very occasionally a complete original text is copied without abbreviation or disguise. One spectacular instance of this is the notification sent to Henry III by Giles of Bridport, bishop of Salisbury, dated 28 March 1262, informing the king that he has confirmed the election of Richard Bannister, subprior of Reading, as abbot of Reading, following the death of Abbot Richard [of Chichester].<sup>8</sup> This document is a real treasure, since it is otherwise unknown and, moreover, includes details of the election process that had been adopted by the monks on this occasion, which again we should not know from anywhere else—the election was by way of scrutiny, that is, by counting the individual votes of the monks, and not by way of ‘compromission’, i.e., by delegating the election to a small group of monks to act on behalf of the whole community. Furthermore, whereas in most cases dating clauses are omitted or reduced to *Dat’ etc.* (Given, etc.), in about fifty examples the date is reproduced in full, sometimes with the place-date as well. Such dated documents range between 20 February 1227 and 16 April 1337, with the great preponderance falling in the first half of the fourteenth century, especially before c. 1330. The sources from which the author/compiler drew his examples are located overwhelmingly in central southern England and the West Midlands, most importantly Berkshire and Herefordshire, in the dioceses then of Salisbury and Hereford, respectively. Considerably fewer examples are from Chichester, Winchester and (apparently) Gloucester, although the last of these is problematic, as I shall explain in due course, and there are odd items from Peterborough (then in the diocese of Lincoln) and elsewhere. Finally, it is important to note that some of the compiler’s examples are known from genuine texts in other sources, such as the Reading Abbey cartularies or royal and episcopal records.

The Berkshire items included as examples in the Formulary relate almost entirely to Reading and district, and the majority concern

Reading Abbey. In particular, a certain number of the fully dated pieces can be identified as relating to abbey properties (lands and churches, etc.) or to issues affecting the abbey, and the inclusion of these in the Formulary is best explained by the writer's easy access to, and knowledge of, the abbey's archives—this is powerful proof of the Reading provenance of the manuscript. A good example is Henry III's order, dated 20 February 1227, that the men of Reading Abbey are to be exempt from attending shire- and hundred- courts, pleas, etc., which was duly entered on the royal Charter Roll and in four of the abbey's cartularies.<sup>9</sup> Another very instructive group in this connection comprises three royal documents and one episcopal document concerning the election of Richard Bannister as abbot in 1262, which I mentioned earlier. As I said, the bishop's document is not otherwise known, but the royal documents are well known, since they appear on the king's Patent Roll.<sup>10</sup> Examples of Reading-related material from the fourteenth century, of which there is a great deal, include documents concerning the abbey's dispute with Henry Staly, rector of Sulham (near Pangbourne), over an annual payment of 4s, dated 1328.<sup>11</sup> The abbey's entitlement to an annual payment (or 'pension') of 4s from Sulham church is well attested back to the time of Jocelin de Bohun, bishop of Salisbury, 1142-84, but this is the first indication that it was (or came to be) paid in two instalments.<sup>12</sup> Another document, dated 1329, relates to the abbey's dispute with William of Petersfield, perpetual vicar of Compton (high up on the Berkshire Downs), over an annual pension of 8s,<sup>13</sup> the abbey's right to which went back to 1234.<sup>14</sup> There is also a reference in a document of 1329 to arrears in the annual pension of 1 mark (13s 4d) due to the abbey from the church of Englefield.<sup>15</sup> The abbey may well have been finding it difficult to enforce its right to annual payments from these churches, since none of them was of its own patronage, and the coincidence in date of the three cases perhaps suggests some collusion on the part of the clergy against the abbey; the documents, which would otherwise be unknown to us, indicate that the abbey's monastic officials were sufficiently alert to the threat to take swift legal action against the offenders.

Another series of fourteenth-century examples, most of them dated, on the later folios of the manuscript illustrate various kinds of ecclesiastical document issued by bishops of Salisbury or their diocesan assistants, concerning a variety of matters (matrimonial, testamentary,

and so on), most of which contain fascinating material, not otherwise known, that illustrates some of the workings and procedures of the ecclesiastical courts and the relationships between various officers in the ecclesiastical hierarchy, and at the same time affords intriguing glimpses of contemporary social life. A splendid example here, dating from the 1330s, concerns the alleged abduction of a prospective bride by a third party.<sup>16</sup> It is worth examining at length. The bishop of Salisbury wrote to the rural dean of Reading, whom he wished to deal with the case, stating that he had been informed by a certain William de Bourton that he had contracted marriage verbally with Matilda, daughter of William Tilly, in the town of Reading after the banns had been read and no objections received; that he (William de Bourton) was ready for the marriage to be canonically solemnized 'in the face of the Church', but that a certain Ralph Byvulac of Reading had abducted the said woman from the town and was preventing the solemnization from taking place, to the peril of William's and Matilda's souls; for all of which 'scandal' William was seeking redress. The bishop accordingly ordered the dean to settle the problem without delay or to require Ralph de Byvulac to appear before the bishop's consistory court in Salisbury Cathedral. Now, quite apart from bringing this dubious affair to light, the document illustrates very nicely the distinction between a verbal contract of marriage and the solemnization of marriage in church. The Tilly family, to which Matilda belonged, were a moderately important family of vintners in Reading, and indeed a William Tilly, perhaps Matilda's father, occurs as a witness to a deed in Reading in 1311.<sup>17</sup> Two further documents from the same case, coming shortly afterwards in the Formulary, reveal that it was Matilda who did not want to go through with the marriage, and we may wonder perhaps whether it was one of her relatives who took her away from Reading.<sup>18</sup> These fascinating documents were not entered in the bishop's register and, again, would be otherwise unknown to us.

In two further cases, one concerning the appointment of English abbots as papal tax-collectors, the other involving churches, and apparently both concerning Gloucester Abbey, one can prove that they actually concern Reading Abbey and that the fact was disguised by substituting 'Gloucester' for 'Reading'. As I mentioned earlier, one cannot necessarily trust the Formulary's attribution of material to Gloucester, and these are cases in point. Let us examine them in a little

more detail. The first purports to concern the abbot and convent of Gloucester as sub-collectors of papal taxation in the archdeaconries of Berkshire and Wiltshire in 1301,<sup>19</sup> but the deception is revealed by the occurrence of the genuine document in the register of Simon of Ghent, bishop of Salisbury, which gives them as the abbot and convent of Reading, not Gloucester.<sup>20</sup> The second case is more elaborate and illustrates the late medieval practice of two incumbents of parish churches exchanging their benefices with each other—known as ‘chop-churching’ or ‘chop-churches’.<sup>21</sup> In the Formulary’s text it is the abbot and convent of Gloucester, patrons of the church of *S. Abb’*, who request Roger Martival, bishop of Salisbury, to permit *W.*, rector of that church, and Master *R. de C.*, rector of the church of *W.*, to exchange their benefices.<sup>22</sup> Now, ‘*S. Abb’*’ turns out to be an abbreviation for Sulhamstead Abbots, the church of which was in the patronage of Reading Abbey (not Gloucester); the rector ‘*W*’ was William; the other church, ‘*W*’ was Witham (in old north Berkshire), and the rector there was Master Ralph de Querendon (probably Quarrendon, Bucks). We can recover these details, because in this case the text of the abbot and convent’s letter is preserved in the register of Bishop Roger Martival of Salisbury (in whose diocese both parish churches lay)—the text is identical with that given in the Formulary, except that the letter is from the abbot and convent of Reading and the names of people and places appear in full (not abbreviated), as I have just stated them.<sup>23</sup> The date is 14<sup>th</sup> August, 1318, which the Formulary omitted. One begins to get a feel for the compiler’s technique of disguise and deception, perhaps to create the impression that his examples were more widely sourced than in fact they were. This kind of device might well conceal other Reading Abbey material disguised as emanating from other religious houses, particularly where, as in a few cases, the Formulary text says that Gloucester Abbey or Winchester Abbey (possibly meaning Hyde Abbey or the cathedral priory of Winchester) was in Salisbury diocese, which certainly neither of them was.<sup>24</sup>

Turning to the Herefordshire items, many could easily have been known to the compiler, and of interest to him, through the close connection between Reading Abbey and its daughter priory at Leominster. As is well known, when Henry I founded Reading Abbey in 1121, among his gifts to the monks were the very valuable manor and church of Leominster, both so rich and complex that by 1139 the fully

conventual priory could be established there.<sup>25</sup> Some of the Herefordshire documents included in the Formulary concern land, etc., in or near Leominster, and one is the text of an indulgence issued by R., bishop of Hereford (most likely Richard Swinfield, 1283-1317), for the soul of Brother W. de M., dean of Leominster (most probably Walter de Meders, prior of Leominster, who occurs 1290-1305), buried before the High Altar of Leominster Priory church, all again otherwise unknown to us.<sup>26</sup> A large number of items date from the pontificate of Adam of Orleton, bishop of Hereford (1317-27), whose surviving register was edited in 1908.<sup>27</sup> It is interesting to observe that very few of the items in Adam's name in the Formulary appear in the bishop's register, but this is not really surprising, since a number of them are not definitive acts and, in any case, episcopal registers usually do not copy every document issued by a bishop. Moreover, many of the fourteenth-century examples do not appear on the surface to concern Reading Abbey or Leominster Priory directly, but may have been known to the compiler through Reading's contacts with its priory. Alternatively, since the bishops of Hereford had a residence at Shinfield, only a few miles south of Reading, information may have come to him from this source, since at least two of Bishop Adam's documents in the Formulary were actually issued at Shinfield (*apud Schenyngfeld'*) in 1325.<sup>28</sup>

It is impossible in a short paper to give more than a hazy impression of the richness and diverse nature of the material contained in this manuscript. To cite briefly a few further examples: Abbot Nicholas of Reading (1305-28) refers to two of his monks, 'R.' and 'T.', studying in Paris;<sup>29</sup> Abbot John of Reading, who is probably Abbot John of Appleford of Reading (1328-42), and the convent grant to Robert Bytepere (evidently their serf) licence to proceed to Holy Orders;<sup>30</sup> Abbot John of 'Gloucester', who I suspect may be the same abbot of Reading, and the convent contract to sell all their wool for the next three years to a merchant, 'T. de S., namely, 12 sacks each year, at 10 marks (£6 14s. 0d.) per sack;<sup>31</sup> in 1325 Solomon Romain of Leominster, chaplain, confesses that he has defamed Richard Ferthyng, monk of Reading (would that we knew in what way);<sup>32</sup> in 1321 the official (or deputy) of the archdeacon of Berkshire, on a complaint from the executors of Hugh, formerly servant of Gilbert Stynt of Pangbourne, orders the vicars of Streatley and Basildon to take action against persons



who are detaining goods of the deceased;<sup>33</sup> and, as a final example, a case of violent attack on the clergy, which deserves to be related in a little more detail. It is contained in a letter of Robert Wyvill, bishop of Salisbury, dated 1337, to the (rural) dean of Reading and the rector of St Laurence's church, Reading, referring to 'unknown sons of iniquity' who have allegedly laid violent hands unlawfully on William Polpeny and Robert son of Robert le Boteler of Reading, clerks, and ordering that, if the accusation is true, they are to excommunicate the malefactors on the next Sunday and feasts after receiving this letter in each church in Reading and in such neighbouring churches as the parties request, during Mass when many people are present, with bells ringing and burning candles extinguished.<sup>34</sup>

All this means that the manuscript is of immense value in several respects, not only in its interesting structure and the very comprehensive range of types of documents which it covers, but also in the wealth of fascinating and most interesting detail it affords about a host of people and places. The veil is lifted, as it were, on a whole range of human life in a wide spectrum of social activity and official relationships, particularly in Reading and district and particularly in the first half of the fourteenth century. The story of how this remarkable manuscript came finally to rest in Reading warrants retelling here in conclusion. In 1970 it came to my attention that what was described to me as a cartulary of Reading Abbey was in the possession of a gentleman living in Guernsey, Mr James Stevens Cox.<sup>35</sup> Having at that time recently completed a doctorate on the subject of Reading Abbey, I was naturally keen to investigate this manuscript and wrote to the owner asking whether I might be granted permission to inspect it. This approach came to nothing, and I had really not thought about the manuscript over the following years. The reader may readily imagine my surprise, therefore, when in May 2012 I received an email from a highly reputable booksellers in London, informing me that the manuscript (with my original letter) had been sent to them by Mr Gregory Stevens Cox, the son of the former owner, with a view to its possible sale, and asking whether I would be interested in seeing it. I naturally leapt at the chance and was amazed at what I discovered. Altogether I paid four visits to the booksellers in June and July, during which I realised, with a growing sense of excitement, that what I was looking at was not a cartulary of the abbey, but the unique and extraordinary formulary I have been describing. In fact, on one of

the front end-papers is written, in an eighteenth-century hand, 'An old manuscript in old court hand on vellum of precedents in conveyancing', which, though not entirely accurate, gives a fair idea of at least part of its contents. The rest of the story can be briefly told. On the basis of the brief report which I subsequently prepared the then County Archivist of Berkshire, Dr Peter Durrant, determined that, if possible, the County Record Office should acquire this valuable relic of the abbey's past, which the owner, a historian himself, was keen should come to this locality; and so, with generous grants from a number of bodies, including the Victoria and Albert Purchase Grant Fund, the Friends of the National Libraries and The Friends of Reading Abbey, the volume was purchased at a cost of £36,000 and arrived in Reading very soon after the turn of the year.

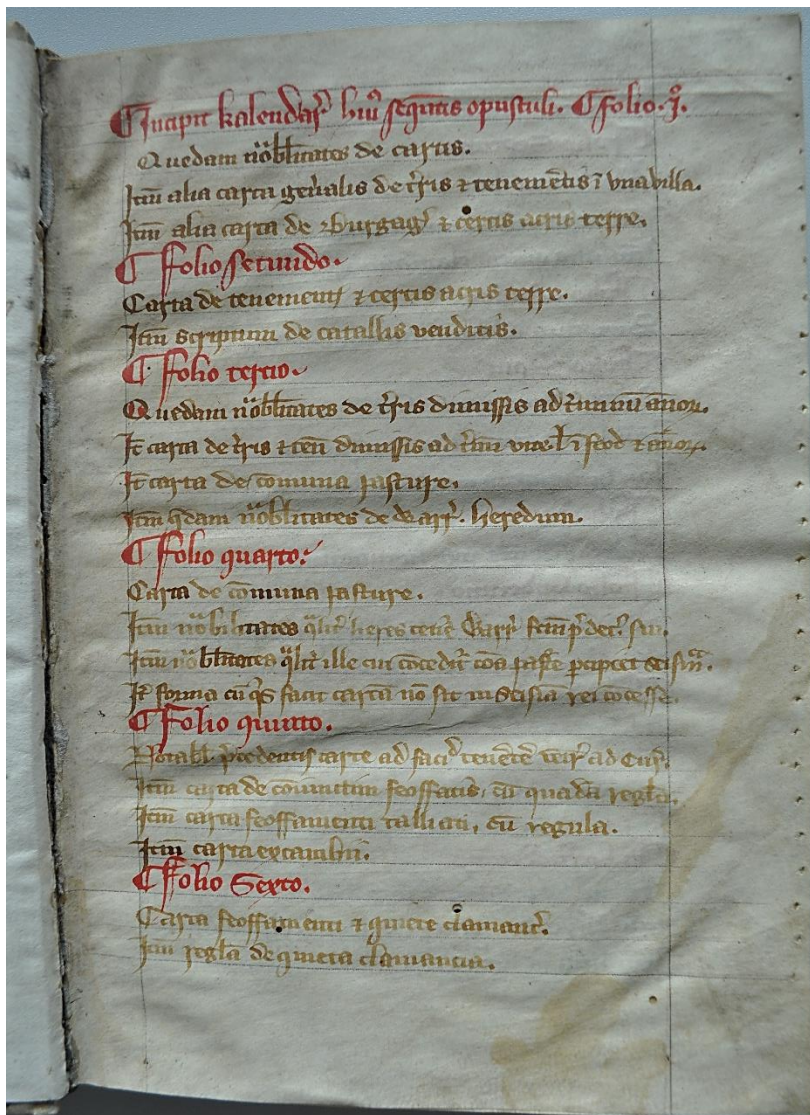


Fig. 1, The Reading Abbey Formulary, Berkshire Record Office, D/EZ 176/1, un-numbered folio, showing the beginning of the Kalendarium, or Table of Contents. Photograph by Simon Eager, reproduced by kind permission of the County Archivist, Dr Mark Stevens.

## Notes

- 1 On the *ex libris* at Reading, see A. Coates, *English Medieval Books: The Reading Abbey Collections from Foundation to Dispersal* (Oxford, 1999), p. 53, and plate 9.
- 2 For a selection of medieval formularies, see H. E. Salter, W. A. Pantin and H. G. Richardson ed., *Formularies which bear on the history of Oxford c. 1204-1420*, 2 vols (Oxford, 1942).
- 3 The main text has 106 folios, but the contemporary foliation has been trimmed from the early folios and from the last three folios, and what remains runs to 113 owing to an error after folio 89, which is followed by the next folio bearing the number 100; this does not point to a loss from the manuscript, however, since the foliation given in the contemporary table of contents at the beginning of the manuscript goes direct from 89 to 100 and mirrors exactly the foliation of the main text.
- 4 Reading, Berkshire Record Office, D/EZ 176/1 (hereafter cited as Formulary), f. 9v; ff. 9v-10r; ff. 11r-v. French is also used in another deed (undated) in the name of Henry 'Beumond, counte de Boham' (f. 28v).
- 5 These headings are Formulary, f. 1r and f. 40v, respectively. Use of such headings is not sustained throughout the formulary, however, although its basic structure is maintained.
- 6 Formulary, ff. 45r-51v.
- 7 These folios are not numbered.
- 8 Formulary, ff. 43v-44r.
- 9 *Calendar of Charter Rolls preserved in the Public Record Office (1226-1516)*, I, HMSO (London, 1903), pp. 13-14; B. R. Kemp ed., *Reading Abbey Cartularies*, 2 vols (London, 1986-7), I, no. 57.
- 10 Formulary, ff. 41r-42r, 43r; *Calendar of the Patent Rolls preserved in the Public Record Office 1258-1266*, HMSO (London, 1910), pp. 207-8.
- 11 Formulary, ff. 81v-82r.
- 12 Kemp, *Cartularies*, I, no. 179.
- 13 Formulary, ff. 85v-86r.
- 14 B. R. Kemp ed., *English Episcopal Acta*, 36, *Salisbury 1229-1262*, British Academy (London, 2010), no. 79.
- 15 Formulary, ff. 106r-v.
- 16 Formulary, ff. 86v-87r.
- 17 Kemp, *Cartularies*, II, no. 1008; see also nos. 855, 880, 959, 995, 998, 1000.
- 18 Formulary, ff. 86v-87r; 87r-v.
- 19 Formulary, ff. 32r-v.

- 20 C. T. Flower and M. C. B. Davies ed., *Registrum Simonis de Gandavo episcopi Saresberiensis A. D. 1297-1315*, 2 vols, Canterbury and York Society 40-41 (1934), I, pp. 37-8.
- 21 On this practice, see A. Hamilton Thompson, *The English Clergy and their Organization in the Later Middle Ages* (Oxford, 1947), pp. 107-8.
- 22 Formulary, ff. 53r-v.
- 23 K. Edwards, C. R. Elrington, S. Reynolds and D. M. Owen ed., *Registrum Rogeri Martival episcopi Saresberiensis A. D. 1315- 1330*, 4 vols in 5, Canterbury and York Society 55, 57-9, 68 (1959-75), I, pp. 109-10.
- 24 See, e. g., Formulary, ff. 25r, 31v-32r (both Gloucester); ff. 33v-34r (Winchester). Occasionally, Gloucester is said, correctly, to be in Worcester diocese (e.g. ff. 25v-26r), and one cannot in these cases necessarily presume that Reading is disguised as Gloucester.
- 25 Kemp, *Cartularies*, I. pp. 16-17, and no. 1.
- 26 Formulary, ff. 103v-104r. For the equivalence (in effect) of the titles 'dean' and 'prior' at Leominster, see B. R. Kemp, 'The monastic dean of Leominster', *The English Historical Review*, 83 (1968), pp. 505-15; for the occurrence of Walter de Meders as prior, see p. 509.
- 27 A. T. Bannister ed. *Registrum Ade de Orleton episcopi Herefordensis A. D. MCCCXVII-MCCCXXVII*, Canterbury and York Society 5 (1908).
- 28 Formulary, f. 54v (1325); ff. 79v-80v.
- 29 Ibid., f. 25r.
- 30 Ibid., f. 13v. The rubric for this item is: *Licencia domini facta servo ad sacros ordines*. This licence, if acted upon, would have the effect of freeing the serf.
- 31 Ibid., f. 19v.
- 32 Ibid., ff. 14v-15r; 71r-v.
- 33 Ibid., ff. 76r-v.
- 34 Ibid., ff. 108v-109r.
- 35 The provenance of the volume is known only from the late eighteenth century, when it was owned by the De Burgh family of Oldtown, Naas, Ireland, its earlier history being entirely unknown, in particular how it came to Ireland. It was sold after 1955, when Oldtown House was burnt down, and was purchased by Mr James Stevens Cox of Guernsey, the father of Dr Gregory Stevens Cox, the seller of the manuscript to the Berkshire Record Office. It is listed in Coates, *Medieval Books*, Appendix F, no. 112. I am grateful to Dr Peter Durrant for help on this note.